



**ARIZONA STATE SENATE**  
*Fifty-Fourth Legislature, First Regular Session*

**AMENDED**  
FACT SHEET FOR S.B. 1090

emergency voting procedures; board action

Purpose

Delineates procedures for an elector to vote early as the result of an emergency. Allows the county Board of Supervisors (BOS) to authorize emergency voting centers by resolution.

Background

Current statute states that, to receive a ballot at a polling place on election day, an elector must provide valid identification (I.D.) from one of two categories: 1) a valid form of I.D. that bears the photograph, name and address of the elector that reasonably appear to be the same as the name and address in the precinct register; or 2) two different items that contain the name and address of the elector that reasonably appear to be the same as the name and address in the precinct register. If I.D. from the first category does not include an address or match the address in the precinct register, another item from the second category must also be used ([A.R.S. § 16-579](#)).

Statute states that a qualified elector may request to vote early as the result of an emergency occurring between 5:00 p.m. on the second Friday preceding the election and 5:00 p.m. on the Monday preceding the election. The county recorder regulates the manner in which qualified electors may vote if they have an emergency. *Emergency* means any unforeseen circumstances that would prevent the elector from voting at the polls ([A.R.S. § 16-542](#)).

Statute states that if an elector is unable to visit a voting center due to illness or disability, an elector may request personal ballot delivery and vote a provisional ballot ([A.R.S. § 16-549](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Requires electors requesting to vote early due to an emergency to sign a statement under penalty of perjury that states the elector is experiencing or has experienced an emergency that:
  - a) occurred after 5:00 p.m. on the Friday immediately preceding the election and before 5:00 p.m. on the Monday immediately preceding the election; and
  - b) would prevent the person from voting at the polls.
2. Declares that signed emergency voter statements are not a public record.
3. Authorizes a county recorder or other officer in charge of elections to allow qualified electors who vote early due to an emergency to update their voter registration information.

4. Requires the county BOS, rather than the county recorder, to designate the manner that an elector requests to vote early in an emergency.
5. Allows the county BOS, on a specific resolution that is limited to a specific election and is voted on by recorded vote, to authorize a county recorder or other officer in charge of elections to use emergency voting centers as follows:
  - a) the county BOS must specify in the resolution the location of emergency voting centers and the hours of operation;
  - b) a qualified elector voting at an emergency voting center must provide sufficient I.D. and that elector may update the elector's voter registration at the emergency voting center; and
  - c) the county recorder or other officer in charge of elections may make changes to the approved emergency voting center location if that location becomes unavailable and there is insufficient time for the county BOS to convene to approve an alternate location for that emergency voting center, provided that the county BOS and public are notified of the change.
6. Requires an alternate emergency voting center to be as close in proximity to the approved emergency voting center location as possible.
7. Requires a person voting early as the result of an emergency to present I.D. in the same manner that is currently required at a polling place on the day of an election.
8. States that emergency voting takes place due to an emergency beginning at 5:00 p.m. the Friday preceding an election, rather than the second Friday preceding the election.
9. Makes technical and conforming changes.
10. Becomes effective on the general effective date.

Amendments Adopted by Committee of the Whole

1. States that emergency affidavits are not a public record.
2. Allows an elector to update the elector's voter registration information when voting because of an emergency.
3. Allows a county recorder or other officer in charge of elections to make changes to the approved emergency voting center location if an emergency voting center established by the county BOS becomes unavailable and there is not sufficient time for the county BOS to convene to approve an alternate location.
4. Requires the alternate emergency voting center to be as close in proximity to the approved emergency voting center location as possible.
5. States that emergency voting takes place due to an emergency beginning at 5:00 p.m. the Friday preceding an election, rather than the second Friday preceding the election.

Amendments Adopted by the House of Representatives

- Removes the requirement that electors requesting to vote early due to an emergency must sign an affidavit under penalty of perjury that describes the emergency and instead requires electors to sign a statement under penalty of perjury that states the elector is experiencing or has experienced an emergency that would prevent the person from voting at the polls.

Senate Action

JUD            1/31/19    DP    4-3-0  
3<sup>rd</sup> Read      2/27/19            16-14-0

House Action

ELECT        3/19/19    DPA    6-4-0-0  
3<sup>rd</sup> Read      4/8/19            31-27-2

Prepared by Senate Research

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